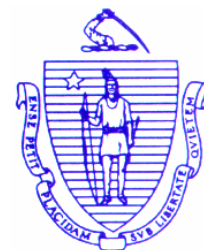




Paul J. Diodati
Director

Commonwealth of Massachusetts
Division of Marine Fisheries
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October 30, 2006

Boards of Selectmen of: Cohasset, Scituate, Marshfield, Duxbury, Plymouth, Bourne, Sandwich, Barnstable, Dennis, Yarmouth, Brewster, Orleans, Eastham, Wellfleet, Truro and Provincetown

Ladies & Gentlemen:

The Division of Marine Fisheries has determined that **whole or roe-on Sea scallops** (*Placopecten magellanicus*) from the below-defined portions of Massachusetts Bay and Cape Cod Bay **no longer contain biotoxins (PSP)** from the phytoplankton Alexandrium (spp) in excess of established standards.

Therefore, under authority of Massachusetts General Laws, Chapter 130, Section 74A, 75 and 322 CMR 7.01 (7) **at sunrise on November 1, 2006, Sea scallops** in the below-defined portions of Massachusetts Bay and Cape Cod Bay will revert to their former status prior to the PSP closures of May 26, 2005. Those shellfish areas classified as APPROVED and in the "open" status to shellfish harvesting are now open to the harvest of **whole and roe-on Sea scallops** for direct human consumption subject to local rules and regulations under authority of Massachusetts General Laws Chapter 130, section 52. Similarly, those shellfish areas classified as CONDITIONALLY APPROVED are open subject to the classification conditions.

WESTERN PORTION OF MASSACHUSETTS BAY and CAPE COD BAY
Status: Open to Shellfishing (as noted above)

"The waters, flats and all tributaries of those areas in Massachusetts Bay (MB2, 4, 8, 9 and 10) seaward to the three mile town limits and all of Cape Cod Bay (CCB:1 – CCB:51)."

Sincerely,

Paul J. Diodati
Director

cc: J. Hanlon, R. Arduini, K. Dolan, R. Chausse, DELE
D. McKiernan, M. Hickey, DMF
WPC, DEP
FDA
DPH
Constables of the above-listed towns